



Docket No.: 57810-033

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Nobuhiko HAYASHI, et al.

Serial No.: 10/084,050

Filed: February 28, 2002

Group Art Unit: 2812

Examiner: D. Le

For: NITRIDE-BASED SEMICONDUCTOR ELEMENT AND METHOD OF FORMING  
NITRIDE-BASED SEMICONDUCTOR

*8/ Elect*  
*G. S. Study*  
*2-12-03*

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, DC 20231

Sir:

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In the Office Action dated January 24, 2003 the Examiner imposed a requirement to elect one of the following species:

Species I. Claims 1 through 6 directed to the embodiment of Figs. 12 through 18; or

Species II. Claims 9 through 11 (presumably intending claim 7 through 11) directed to the embodiment of Figs. 20 through 28.

In response Applicants elect to prosecute Species I, i.e., claims 1 through 6 directed to the embodiment of Figs. 12 through 18. Favorable consideration of claims 1 through 6 is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

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extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

A handwritten signature in black ink, appearing to read "Arthur J. Steiner", is written over the printed name.

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**Date: February 24, 2003**